
Appeal Decision

Site visit made on 5 February 2020

by N Holdsworth MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 April 2020

Appeal Ref: APP/R5510/D/19/3241712
37 Brixham Crescent, Ruislip, HA4 8TU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Sarah Barnes against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 6921/APP/2019/2868, dated 28 August 2019, was refused by notice dated 23 October 2019
 - The development proposed is part two storey, part single storey side extension and single storey front extension.
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Decision

1. The appeal is allowed and planning permission is granted for part two storey, part single storey side extension and single storey front extension at 37 Brixham Crescent, Ruislip, HA4 8TU in accordance with the terms of the application, Ref 6921/APP/2019/2868, dated 28 August 2019, subject to the attached schedule of conditions.

Preliminary Matters

2. The London Borough of Hillingdon Local Plan Part 2 Development Management Policies was adopted in January 2020 ("adopted local plan"). Policies in the Hillingdon Local Plan: Part 2 - Saved UDP Policies, as cited on the Council's decision notice, are no longer part of the development plan. I have dealt with the appeal accordingly. The Council have also confirmed that the guidance set out in the Hillingdon Design and Accessibility Statement Supplementary Planning Document: Residential Extensions (2008) has been withdrawn.
3. I have amended the description of development to reflect the fact that the proposed works involve a side, rather than a rear extension. This is in the interests of clarity.

Main Issues

4. The effect on:
 - the character and appearance of the host building and surrounding area; and
 - the living conditions of the occupants of the residential property at No.39 Brixham Crescent, with particular regard to outlook and the provision of natural light.

Reasons

Character and Appearance

5. Brixham Crescent is largely composed of residential properties arranged in small terraces. The houses are built in a traditional, twentieth century suburban style; and many appear to have been extended and altered. The gaps between the terraces at first floor level have largely been preserved, but in many cases there is now a continuous frontage at ground floor level.
6. The host building comprises an end of terrace property. The side extension would extend in-to the space between the host building and No.39. However, a gap would be retained at both ground and first floor level due to the existence of an alleyway between the two properties.
7. Policy DMHD1 of the adopted local plan states that side extensions should be set back one metre from the side boundary of the property. However, in this case the residual gap between buildings would be of an appropriate size compared to other gaps between terraces found along Brixham Crescent. This means that the extended building would not appear unduly out of place in relation to its surroundings. As such, this would not appear as a cramped development and there would be no significant terracing effect. An exception to this design criteria in the adopted local plan is therefore justified.
8. The front/side extension would span the area beside the front bay window, encompassing the front door and front part of the side extension. This would project forward to the building line established by the bay window. Whilst this extension would encompass a significant proportion of the extended front elevation, it would replicate several other similar additions along this road, which I saw on my site visit.
9. As the front/side extension would respect the established building line and exhibits a sloping pitched roof, it would harmonise with the appearance of the host building and its existing architectural features. It would be a visually subservient feature that is of an appropriate scale in relation to the remainder of the host property and others along this road.
10. Overall, there would be no harm to the character and appearance of the host building and surrounding area. There is no significant conflict with policies BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), nor DMHB 11 and DMHD 1 of the adopted local plan, which, amongst other things, seeks to ensure that new development is well designed and there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street, where alterations and extensions to residential dwellings are proposed.

Living Conditions

11. The proposed side extension would project forward of the rear elevation of Number 39 Brixham Crescent. However, it would physically be set away from this building, due to the retained gap between the two properties.
12. The view from the rear ground floor windows of No.39 is already enclosed by a garden fence, which denotes the boundary between properties. The extension would be set away from this boundary. The additional bulk above the height of the fence would not represent a significant obstruction to the levels of natural

light that reaches the rear ground floor windows of this neighbouring property. As such, whilst there would be a technical breach of the 45-degree line from the closest ground floor window, no material harm would arise through loss of light to this part of the neighbouring building.

13. At first floor level, due to the partial set back of the extension at first floor level, an unobstructed 45-degree line would be preserved from the closest upper floor window of No. 39 towards the development. The extension would therefore be set a sufficient distance away, to avoid any material effect on the levels of light received by windows on the first floor of the neighbouring property.
14. In other respects, the side extension would align with the bulk of the host building at No. 37. It would not project beyond its existing rear building line. The extension would be set sufficiently back from the side boundary of No.39 to avoid being overbearing, visually intrusive or unduly prominent in views from either the neighbouring building or its garden. Any additional overshadowing would be negligible given the gap between the two buildings.
15. These considerations lead me to the view that there would be no loss of outlook and no adverse effect on the provision of natural light to the neighbouring property at No.39. The effect on the living conditions of the occupants of this residential property would be acceptable in all respects. There is no significant conflict with policy DMHD 1 of the adopted local plan which requires, amongst other things, that a satisfactory relationship with adjacent dwellings is achieved where extensions and alterations to existing buildings are proposed.

Conclusion and Conditions

16. The proposal complies with the development plan, when it is considered as a whole and there are no other considerations that outweigh this finding. The appeal should be allowed subject to conditions necessary in the interests of certainty, to comply with legislation relating to the commencement of development and in the interests of preserving the prevailing character and appearance of the area.

Neil Holdsworth

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: SKMPD-P-37BC-001 rev F, SKMPD-P-37BC-002 rev E, SKMPD-P-37BC-003 rev E.
- 3) Except where shown otherwise on the approved plans, the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

End of Schedule